

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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In re:

Chapter 11

4D Factory Inc., *et al.*,

Case No. 23-11618 MEW
(Subchapter V Cases)

Debtors.¹

(Jointly Administered)

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**ORDER FOR RETENTION OF
ATTORNEYS FOR DEBTORS-IN-POSSESSION**

UPON the application (the “Application”) of 4D Factory, Inc. and The 4D Factory LLC the debtors and debtors-in-possession (the “Debtors”), dated November 16, 2023, seeking authority to employ and appoint Spence Law Office, P.C. (“Spence Law”) as their general counsel in these chapter 11 cases, under a general retainer, to represent the Debtors in the fulfillment of their duties, as set forth in 11 U.S.C. §§1107 and 1108, as of the date of the voluntary commencement of these cases, October 10, 2023, upon the terms and conditions set forth in the Application; and upon the Affirmation of Robert J. Spence, Esq., the president and principal attorney of the Law Firm of Spence Law, and it appearing that Spence Law is duly authorized to practice in this Court, and the Court being satisfied that Spence Law represents no interests adverse to the Debtors or to the Debtors’ estates in the matters upon which it is to be engaged, is a disinterested person, and that its employment is necessary and would be in the best interest of the estates; it is hereby

ORDERED that the Application is granted as set forth herein; and it is further

¹ The Debtors in these Chapter 11 Cases, along with the last four digits of each Debtor’s federal tax identification number, are 4D Factory Inc. (6770), and The 4D Factory LLC (8935).

ORDERED that, pursuant to § 327(a) of the Bankruptcy Code, the Debtor is authorized to retain Spence Law Office, P.C. as its attorneys in this case, as of October 10, 2023; and it is further

ORDERED that the compensation and reimbursement of expenses of Spence Law Office, P.C. shall be sought upon, and paid only upon an order granting, a proper application pursuant to §§ 330 and 331 of the Bankruptcy Code, as the case may be, and the applicable Bankruptcy Rules, Local Rules and fee and expense guidelines and orders of this Court; and it is further

ORDERED that at least ten days before implementing any increase in the rates of Spence Law Office, P.C.'s professionals providing services in these cases, Spence Law Office, P.C. shall file and serve on the United States Trustee and any official committee a supplemental affidavit providing justification for any such rate increases and stating whether the Debtors have agreed to them. All parties in interest retain the right to object to any rate increase on any grounds; and it is further

ORDERED that the Court shall retain jurisdiction to hear and determine all matters arising from the implementation of this Order; and it is further

ORDERED that if there is any inconsistency between the terms of this Order, the Application, and the supporting Affirmation, the terms of this Order shall govern.

NO OBJECTION:

By: /s/ Paul Schwartzberg
For the Office of the U.S. Trustee

Date: November 29, 2023
New York, New York

s/Michael E. Wiles
UNITED STATES BANKRUPTCY JUDGE